

July 26, 1973

CONGRESSIONAL RECORD — HOUSE

H 6731

move from a nonmilitary phase in Southeast Asia, it is quite obvious that a reasonable degree of stability is needed in South Vietnam. The commodity import program is a major way to provide that stability, and a drastic cut at the level proposed would wreak havoc in an area where we do have continuing obligations.

Mr. Chairman, I hope the amendment is defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. BINGHAM).

The question was taken; and on a division (demanded by Mr. BINGHAM) there were—ayes 10, noes 79.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. HARRINGTON

Mr. HARRINGTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRINGTON: Page 39, line 10, after the period, strike out "No assistance shall be furnished under this section unless the President receives assurances satisfactory to him that no assistance furnished under this part, and no local currencies generated as a result of assistance furnished under this part, will be used for support of police, or prison construction and administration, within South Vietnam."

And insert "No part of any appropriation made available to carry out this or any other act or local currency generated through commodity sales programs shall be used for public safety programs, police training, support, or advisory programs, prison construction, or prison administration within South Vietnam."

(Mr. HARRINGTON asked and was given permission to revise and extend his remarks.)

Mr. HARRINGTON. Mr. Chairman, I think it might be appropriate to briefly describe the difference in the language once again in somewhat less formalistic terms. We adopted in committee the language which was first read, which was largely discretionary on the part of the President and deals only with the substance of this legislation before us as far as the ability to withhold from South Vietnam any of those moneys in this bill for the purpose of using them for public safety programs.

My amendment needs no presidential discretion. It involves any piece of legislation in which any sums of money may be found for the purpose of carrying out public safety programs and, in general, is aimed only at attempting to deal with the problem of our allies in the use of American funds for the suppression of political activities in South Vietnam. The amendment in the committee was decisively defeated. I am not under any particular illusion that that is going to be any different in debate this afternoon.

I do feel, though, that if we look at the figures and attempt at least to see again the problem presented, those who are even remotely concerned about the problem might think it makes good sense.

The total amount for public safety that is in our own legislation is about \$1.3 million. The Department of Defense, however, in legislation which will be forthcoming later this year, has requested a total of \$10.6 million for the purpose of carrying out public safety ac-

tivities on the part of the South Vietnamese. I suspect that if the events of the last few days are any indication of our awareness in general of other programs, there are other sums of money which we in general are not aware of and other pieces of legislation which are being used for analogous or similar purposes.

I do not know that we can establish for the benefit of those who want it to say that we, in general, would not support someone who is more responsible to civil liberties, but I think there has been enough documentation; documentation in such variety so that there should be some appropriate concern that we not use the funds from any source to provide ability on the part of the Thieu government to maintain any kind of public safety apparatus which is directed to political pressure.

I do not think there is any particular reason to try to embellish on this fund. There are a variety of ways of dealing with the situation in which we find ourselves, historically and somewhat strangely applied. I think it is useful in some stage, that we are attempting to give some help to broaden the restrictions already in the bill.

It is for that reason that I offer the amendment, and I hope it might be favorably considered.

Mr. MITCHELL of Maryland. Mr. Chairman, I rise in support of the amendment.

(Mr. MITCHELL of Maryland asked and was given permission to revise and extend his remarks.)

Mr. MITCHELL of Maryland. Mr. Chairman and colleagues, there is something very abhorrent to me about the idea of this Nation supporting and undergirding a government which has suppressed all forms of democracy under the guise of providing police assistance.

My colleague from Indiana (Mr. DENNIS) earlier stated his concern about our meddling into the internal affairs of countries, apropos of the amendment offered earlier by my colleague from Georgia.

My feeling is that the more we involve ourselves in trying to shore up unpopular governments through the means of supporting and sustaining police operations, the more we run into danger of once again being sucked into a kind of terrible situation. The facts are very, very clear.

Under the public safety program of the U.S. Agency for International Development, the Vietnamese police force was converted from a modest civil agency of 19,000 men—Mr. ABOUREZK uses 10,000—in 1963 to a huge paramilitary organization of 120,000 men in 1973. U.S. spending on this effort amounted to \$155 million between 1967 and 1972—\$85.7 million in U.S. Agency for International Development funds and \$69.6 million in defense funds.

Under Central Intelligence Agency organized, and U.S.-financed, Operation Phoenix—purportedly designed to eliminate the Vietcong infrastructure—20,587 Vietnamese civilians were assassinated between January 1968 and May 1973. Another 28,970 other sources say 46,695—were imprisoned without trial. Source of figures is William E. Colby,

former head of Civil Operations and Revolutionary Development Support—the U.S. pacification program—and Director-designate of the Central Intelligence Agency.

Let me cite one other thing here. The first vice speaker of the House of Representatives recently contacted one of our colleagues, Congressman STARK, asking him for support for the Government of South Vietnam. I think Congressman STARK's reply was very meaningful, and I would like to read it:

The HONORABLE D. B. XUAN MINH: I regret that I cannot accept the spirit or substance of your recent letter. You speak of "freedom" when your country has been a stage for the world showing kidnapping, imprisonment, and torture. The leaders of the opposition parties are nowhere visible. Your "democracy" seems to have no more credibility than its paper claims of civil rights and liberties for all.

Can you dispute that in January, 1973, deputy Ho Ngoc Nham of your national assembly disclosed a new version of what we knew previously as "Operation Phoenix"? Is it not true that under this plan anyone with allegiances to the opposition is subject to arrest and indefinite imprisonment?

There is widespread belief in this country that our own civilian advisors are now serving as counsel to the national police special branch in Saigon and the provincial interrogation centers. Can you deny the truth of this rumor?

This prevailing philosophy that denies all civil liberties is only one aspect of your government that I distrust. Far more serious, I believe, is your utter disregard for the humane priorities of all other "free societies." War orphans in South Vietnam number in the hundreds of thousands and adequate care is visibly lacking. Your population is now one of refugees and yet little viable planning has been developed for their support.

The vast amount of American foreign aid you receive does not go to the support of these people so critically in need of assistance. We subsidize, instead, your military needs and the social habits of government officials. Such a blatant disregard for basic humanitarianism is totally unacceptable to me.

You may be certain that I will do all within my power to see that all future American aid to your country is suspended. I cannot, under any circumstances, see the justification for such misuse of desperately needed dollars. This money must be used for the support of oppressed people in our own country and Vietnam who must depend on their fellowman for assistance. You do not provide this assistance.

American dollars should be spent abroad for the good of people most sorely in need. I believe that many thousands of the people of your country fit this category. Until all the world can witness that they are truly being rehabilitated, you should not be permitted the luxury of misappropriating and abusing our aid.

FORTNEY H. STARK, Jr.,
Member of Congress.

JUNE 28, 1973.

Under the terms of the January 1973 agreement on the ending of the war and restoring peace in Vietnam, we pledged:

Not to "impose any political tendency or personality on the South Vietnamese people" (article 9).

To remove "personnel associated with the war" (article 5).

To prohibit "all acts of reprisal and discrimination against individuals or

H 6732

CONGRESSIONAL RECORD — HOUSE

July 26, 1973

organizations that have collaborated with one side or the other" (article 11).

While the Agency for International Development claims that they have discontinued aid to South Vietnamese prisons and police, we find the following items in the Agency for International Development fiscal year 1974 budget:

A. INDOCHINA POSTWAR RECONSTRUCTION ASSISTANCE PROGRAM

One, \$869,000—for computer training of 200 national police command personnel.

Two, \$1,505,000—for police telecommunications system—U.S. Agency for International Development project 730-11-995-380. Of this, \$985,000 will be for 24 U.S. civilian advisors.

Three, \$256,000—for training of 64 police commanders—U.S. Agency for International Development project 730-11-799-372.

B. UNLIQUIDATED OBLIGATIONS ACCOUNT

One, \$1,285,000—for public safety communications—project 730-11-710-299.

Two, \$2,472,000—for National police support—project 730-11-710-352.

Three, \$30,000 for corrections centers—project 730-11-710-353.

Other—no Agency for International Development Fund.

C. MILITARY ASSISTANCE, SERVICE FUNDED PROGRAM

Expenditure of \$8.8 million by Department of Defense to replenish police ammunition and supplies—permissible under peace agreement as "piece-by-piece" supply transactions.

D. PIASTER BUDGET SUPPORT PROGRAM

United States will transfer \$50 million from U.S. accounts to the GVN budget. Senator KENNEDY testified on June 4, 1973, that on February 21, 1973, the United States obligated \$100,000 in piasters for support of the prison system. Many of the piasters in this account came from sale of agricultural products under the Public Law 480 food for peace program.

Total: Except D, \$15.2 million designated for fiscal year 1974 support of Vietnamese police and prisons.

From press conference, January 2, 1973:

Chi Hoa (Prison) is like South Vietnamese society in miniature. There is everything from former presidential candidates, Buddhist monks, women and children who have never committed any offense, to the most hardened criminals and drug addicts. There are countless children in South Vietnamese prisons. Often a mother is arrested too quickly to find anyone to care for her children, so the children are arrested and imprisoned too.

On November 11, 1973, Thieu's nephew, Hoang Duc Nha, claimed that the Saigon government arrested 50,000 political opponents and killed 5,000. Source: CBS Evening News.

The Saigon ministry of information reported that the police made 7,200 raids against political critics between November 8 and 15, 1972.

On June 11, 1973, Dr. John Champlin, a former U.S. Ambassador to Vietnam, told the House Foreign Affairs Committee

that a group of 124 Vietnamese citizens suffering from permanent physical injuries sustained as a result of their confinement in gun prisons reported that they "had all been examined more than once by American military physicians while in prison but they denied having received so much as an aspirin during their confinement." None had seen evidence of U.S. efforts to "develop better health facilities" in GVN prisons.

A fact sheet on the prisons in South Vietnam follows:

A FACT SHEET ON THE PRISONS OF SOUTH VIETNAM

MAIN NATIONAL PRISONS

- (1) Chi Hoa—10,000 prisoners.
- (2) Phu Quoc—40,000 prisoners.
- (3) Thu Duc—8,000 prisoners.
- (4) Tan Hiep—10,000 prisoners.
- (5) Con Son—15,000 prisoners.

OTHER NATIONAL PRISONS

- (1) 10 Police prisons—3,000 prisoners.
- (2) Central Intelligence Office prisons—300 prisoners.
- (3) Cho Quan—500 prisoners.
- (4) American Prison.
- (5) Dalat—for youth under 20—2,000 (strictly political prisoners).

Military Prisons—opponents may claim these have been shut down.

- (1) Go Vap—15,000 prisoners.
- (2) Military Secret Service Prison—1,000 prisoners.
- (3) Army Intelligence Officer—500 prisoners.

PROVINCIAL PRISONS

- (1) 11 Saigon District Prisons—5,000 prisoners.
- (2) 50 Provincial Prisons—60,000 prisoners.
- (3) 48 Provincial Police Prisons.
- (4) 48 Office of Military Security Prisons.
- (5) 48 Regional Headquarters Prisons.
- (6) 48 American Intelligence Centers.
- (7) 260 District Prisons.

Source: Vietnam News and Reports (April-May 1973).

By: Mr. Ngo Cong Duc, former Deputy of the Saigon Assembly and former President of a Saigon Newspaper Association.

Mr. MORGAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the language the gentleman would strike out is:

No assistance shall be furnished under this section unless the President receives assurances satisfactory to him that no assistance furnished under this part, and no local currencies generated as a result of assistance furnished under this part, will be used for support of police, or prison construction and administration, within South Vietnam.

The committee put that in. Of course, the gentleman now comes along to strike that out, and he would insert:

No part of any appropriation made available to carry out this or any other act or local currency generated through commodity sales programs shall be used for public safety programs, police training, support, or advisory programs, prison construction, or prison administration within South Vietnam.

This makes it pretty plain. Let us look at what happened in South Vietnam. AID has withdrawn its public safety advisors in South Vietnam, in accordance with the cease-fire agreement of January 22, 1973, and has terminated its program of assistance to South Vietnam prisons. Therefore, I see no reason for the amendment.

I understand that AID has some plans from its appropriations to supply some

replacement equipment and commodities to the National Police Force. These are supplies that are vitally needed.

I believe the language of the present bill will give flexibility to the President to make the determination about what is needed to be supported and I ask that the amendment be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. HARRINGTON).

The question was taken; and on a division (demanded by Mr. HARRINGTON) there were—ayes 23, noes 57.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

U.S. EXPORT DEVELOPMENT CREDIT FUND

SEC. 25. (a) The Foreign Assistance Act of 191, as amended by section 24 of this Act, is amended by adding at the end thereof the following new part:

"PART VI

"SEC. 901. GENERAL AUTHORITY.—(a) In the interest of increasing United States exports to the lowest income countries, thereby contributing to high levels of employment and income in the United States and to the establishment and maintenance of long-range, growing export markets, while promoting development of such countries, the President shall establish a fund, to be known as the 'United States Export Development Credit Fund', to be used by the President to carry out the authority contained in this part.

"(b) The President is authorized to provide extensions of credit, upon reasonable assurances of repayment, for the purpose of facilitating the sale to the lowest income countries of United States goods and services which advance mutual development. The provisions of section 201(d) of this Act shall apply to extensions of credit under this part. The authority contained in this part shall be used to extend credit in connection with the sale of goods and services which are of developmental character, with due regard for the objectives stated in section 102(b) of this Act.

"(c) The receipts and disbursements of the Fund in the discharge of its functions shall be treated for purposes of the budget of the United States Government in the same fashion as the receipts and disbursements of the Export-Import Bank of the United States under section 2(a)(2) of the Export-Import Bank Act of 1945.

"SEC. 902. FINANCING.—(a) As may hereafter be provided in annual appropriation Acts, the President is authorized to borrow from whatever source he deems appropriate, during the period beginning on the date of enactment of this part and ending on December 31, 1977, and to issue and sell such obligations as he determines necessary to carry out the purposes of this part. The aggregate amount of such obligations outstanding at any one time shall not exceed one-fourth of the amount specified in section 7 of the Export-Import Bank Act of 1945 on July 1, 1973. The dates of issuance, the maximum rates of interest, and other terms and conditions of the obligations issued under this subsection will be determined by the Secretary of the Treasury with the approval of the President. Obligations issued under the authority of this section shall be obligations of the Government of the United States of America, and the full faith and credit of the United States of America is hereby pledged to the full payment of principal and interest thereon. For the purpose of any purchase of the obligations issued under this part, the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from